



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

MAR 4 1994

Robert K. Wilson, Treasurer  
Ohio Rep State Central and Exec  
Committee: AKA The Ohio  
Rep Party  
172 East State Street - Suite 400  
Columbus, Ohio 43215

Identification Number: C00162339

Reference: Amended 30 Day Post-Special Report (1/1/93-5/24/93),  
dated 5/21/93

Dear Mr. Wilson:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-The beginning cash balance of this report should equal the ending balance of your 1992 Year End Report. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) from an organization(s) which is not a political committee registered with the Commission. Under 11 CFR §102.5(b), organizations which are not political committees under the Act must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If your committee does not finance non-federal activity, the receipt of the referenced contribution(s) may violate the limitations and prohibitions of the Act. (2 U.S.C. §§441a(f) and 441b) If your committee engages in both federal and non-federal activity, either through a separate non-federal account, or one account that finances activity in connection with both federal and non-federal elections, your committee may be in violation of 11 CFR §102.5(a).

Please clarify whether the contribution(s) received from the referenced organization(s) is permissible. To the

extent that your committee has received funds which are not permissible, the Commission recommends that you refund the impermissible amount(s) to the donor(s) in accordance with 11 CFR §103.3(b). Alternatively, if you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor in writing and provide the contributor with the option of receiving a refund. You may wish to seek a written authorization (either before or after the transfer-out) from the donor for any transfer-out to protect the donor's interests.

Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer-out. Should you choose to refund or transfer-out the funds, the Commission will presume the funds were impermissible, absent a statement from your committee to the contrary. Refunds and transfers-out should be disclosed on a supporting Schedule B for Line 28 or 22 of the report covering the period during which they are made.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of prohibited contributions, prompt action by your committee in refunding or transferring-out the amounts will be taken into consideration.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule B of your report to clarify the following descriptions: "LIVING EXPENSES". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-For future reporting, please be advised that contributions to federal candidates and political committees should be itemized on a separate Schedule B supporting Line 23 of the Detailed Summary Page. Contributions to non-federal candidates and committees should be itemized on Schedule B supporting Line 29.

-The identification of each contributor, including the person's occupation and name of employer, must be provided if the person has contributed in excess of \$200 in the aggregate during the calendar year. Please amend Schedule A supporting Line 11(a)(i) for each entry lacking a contributor's Employer and Occupation.

Note: If your committee has made at least one effort per solicitation, either by a written request or by an oral request documented in writing to obtain this information from the contributor, your committee may have exercised "best efforts." Under 11 CFR 104.7(b), such effort shall consist of a clear request for the information (i.e., name, mailing address, occupation, and name of employer) which request informs the contributor that the reporting of such information is required by law. If you believe that your committee satisfies the "best efforts" provision, you should provide a copy of your solicitation or an explanation of the method(s) used to obtain contribution information. Clarification regarding "best efforts" should be disclosed during each two year election cycle beginning with the first report filed in the non-election year. 11 CFR §104.3(a)(4)(i)

-Schedule B4 of your report discloses payments to "EMPLOYEE BENEFITS" (pertinent portion attached). Please be advised that payments for administrative purposes must be paid through your federal account with your non-federal account transferring its allocated share (11 CFR §106.5(g)(1)(i)). Please provide further clarifying information regarding these transactions, including payments to the ultimate payee.

-Schedule B, supporting Line 21(b) of your report discloses a lump sum payment to Tailored Management Services for payroll purposes. However, you do not itemize the individuals who receive payment. Payments made to management service providers must identify the person who provides the service if the payments to the ultimate payee exceed \$200 in a calendar year. Please amend your report by providing the name, date, amount and purpose for such payments as required by 11 CFR §102.9(b)(2)(i)(A).

-Payments made to credit card companies must identify the original vendors from which you have purchased an item or service if your payments to these vendors have exceeded \$200 this year. Please amend your report by providing the date, amount, and purpose of such payments as required by 11 CFR §104.9(b).

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this

letter. If you need assistance, please feel free to contact me on  
our toll-free number, (800) 424-9530. My local number is (202)  
219-3580.

Sincerely,

*Terry Reynolds*

Terry Reynolds  
Reports Analyst  
Reports Analysis Division

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**SCHEDULE A**

**STANDARD RECEIPT  
Contributions from Political Party  
Committees**

Page 1 of 1 for  
Line Number 11b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee : Ohio Republican State Central and Executive Committee

Name and Address	Employer/Occupation	Date(s)	Amount
Peterson for Mayor Committee P.O. Box 346 Newark, OH 43088	Employer : Peterson for Mayor Committee Occupation : Aggregate Year to Date :	08/05/93	30.00
Friends of State Rep J. Boehner 7908 Cincinnati Dayton Rd. W. Chester, OH 45069-1318	Employer : Friends of State Rep J. Boehner Occupation : Committee Aggregate Year to Date :	08/10/93	1,500.00
Subtotal of Receipts this page .....			1,530.00
Total Receipts this period.....			1,530.00

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## Shared Federal/Non-Federal Activity

Name of Committee : Ohio Republican State Central and Executive Committee

Name and Address	Purpose/Event	Date	Total Amount	Federal Share	Non-Federal Share
SEN ELIAS 172 E. STATE STREET COLUMBUS, OH 43215 CATEGORY ADMINISTRATIVE	EXPENSE REIMBURSE	04/23/93	493.18	123.10	369.98
Year-To-Date			\$632,322.60		
SEN ELIAS 172 E. STATE STREET COLUMBUS, OH 43215 CATEGORY ADMINISTRATIVE	EXPENSE REIMBURSE	04/30/93	241.43	60.37	181.00
Year-To-Date			\$632,322.60		
SEN ELIAS 172 E. STATE STREET COLUMBUS, OH 43215 CATEGORY ADMINISTRATIVE	ADMIN. PAYROLL	04/30/93	8,908.34	727.09	1,181.25
Year-To-Date			\$632,322.60		
SEN ELIAS 172 E. STATE STREET COLUMBUS, OH 43215 CATEGORY ADMINISTRATIVE	EXPENSE REIMBURSE	06/03/93	833.68	203.43	700.26
Year-To-Date			\$632,322.60		
EMPLOYEE BENEFITS 81 E. FOURTH STREET COLUMBUS, OH 43215 CATEGORY FUNDRAISING	TEL-ADMIN P/R EMPTE	01/04/93	69.25	69.25	0.00
Year-To-Date			\$64,769.97		
EMPLOYEE BENEFITS 81 E. FOURTH STREET COLUMBUS, OH 43215 CATEGORY ADMINISTRATIVE	FINANCE P/R EMPTE	01/04/93	1,049.28	262.32	786.96
Year-To-Date			\$632,322.60		
ERNST & YOUNG 10 W. BROAD STREET COLUMBUS, OH 43215 CATEGORY ADMINISTRATIVE	AUDIT	03/03/93	1,875.00	393.75	1,181.25
Year-To-Date			\$632,322.60		
ERNST & YOUNG 10 W. BROAD STREET COLUMBUS, OH 43215 CATEGORY ADMINISTRATIVE	AUDIT	03/18/93	1,875.00	393.75	1,181.25
Year-To-Date			\$632,322.60		
Subtotal of Joint Federal and Non-Federal Activity this page			8,544.81	2,263.18	6,281.33

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